

3/29/19

3:05 P.M.

Chapter No. 446
19/SS02/R727SG
LR 1TB/LR

SENATE BILL NO. 2681

Originated in Senate



Secretary

SENATE BILL NO. 2681

AN ACT TO AUTHORIZE JACKSON STATE UNIVERSITY, WITH THE APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO TRANSFER, CONVEY AND DISPOSE OF CERTAIN TAX-FORFEITED REAL PROPERTY AND ANY IMPROVEMENTS THEREON THAT ARE IN THE POSSESSION AND CONTROL OF THE UNIVERSITY IN THE CITY OF JACKSON, MISSISSIPPI, WHEN THE PROPERTY HAS CEASED TO BE USED FOR EDUCATIONAL PURPOSES; TO PROVIDE FOR A RIGHT OF FIRST REFUSAL FOR THE PURCHASE OF THE PROPERTY BY ADJACENT HOMEOWNERS AND OTHER HOMEOWNERS RESIDING ON THE SAME STREET OR BLOCK OR IN THE SAME NEIGHBORHOOD; TO PROVIDE THAT THE PROPERTIES THAT ARE NOT PURCHASED BY ADJACENT HOMEOWNERS OR OTHER HOMEOWNERS IN THE NEIGHBORHOOD SHALL BE TRANSFERRED AND CONVEYED TO A NONPROFIT COMMUNITY DEVELOPMENT CORPORATION (CDC) THAT SERVES AS AN ENTITY FOR THE REVITALIZATION OF THE COMMUNITY SURROUNDING THE UNIVERSITY; TO PROVIDE THAT THE CDC TO WHICH THE PROPERTIES HAVE BEEN TRANSFERRED MAY SELL ANY PORTION OR ALL OF THE PROPERTIES, AFTER FIRST ADVERTISING NOTICE OF ITS INTENT TO SELL THE PROPERTIES; TO PROVIDE THAT THE CDC SHALL TRANSFER FIFTY PERCENT OF THE NET PROCEEDS RECEIVED FROM THE SALE OF THE PROPERTIES TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR DEPOSIT INTO A SPECIAL FUND THAT IS CREATED IN THE STATE TREASURY TO BE KNOWN AS THE "JACKSON STATE UNIVERSITY SURPLUS PROPERTIES FUND"; TO PROVIDE THAT MONIES IN THE FUND SHALL BE EXPENDED ONLY FOR PURPOSES APPROVED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING THAT ARE FOR THE BENEFIT OF JACKSON STATE UNIVERSITY; TO PROVIDE THAT ANY OF THE PROPERTIES THAT ARE NOT SOLD BY DECEMBER 31, 2019, SHALL REVERT TO THE POSSESSION AND CONTROL OF THE UNIVERSITY ON JANUARY 1, 2020; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Jackson State University ("the university"), with the approval of the Board of Trustees of State Institutions of Higher Learning, is authorized to sell, transfer, convey and dispose of certain parcels of certain tax-forfeited real property and any improvements thereon that are in the possession and control of the university, when the property has ceased to be used for educational purposes, in accordance with the provisions of this section. The real property is located in the City of Jackson, Hinds County, Mississippi, and is more particularly described as follows:

Parcel number 101-402 Livingston Road;

Parcel number 135-29 Rose Street;

Parcel number 135-33 Robinson Street;

Parcel number 135-34 Robinson Street;

Parcel number 135-36 Robinson Street;

Parcel number 135-38 Robinson Street;

Parcel number 144-209 Deer Park Street;

Parcel number 144-210 Deer Park Street;

Parcel number 149-10 Ewing Street;

Parcel number 149-45 Lewis Street;

Parcel number 152-48 Central Street;

Parcel number 152-52 Central Street;

Parcel number 152-67 Central Street;

Parcel number 153-1 Dalton Street;

Parcel number 153-20 Pittsburg Street;

Parcel number 153-22 1248 Pittsburg Street;
Parcel number 153-23 Pittsburg Street;
Parcel number 153-24 Pittsburg Street;
Parcel number 153-25 Pittsburg Street;
Parcel number 153-26 Pittsburg Street;
Parcel number 153-27-4 Pittsburg Street;
Parcel number 153-28 Dalton Street;
Parcel number 153-28-1 Pittsburg Street;
Parcel number 153-39 Pittsburg Street;
Parcel number 153-42 Pittsburg Street;
Parcel number 153-48 Pittsburg Street;
Parcel number 153-49-1 Pittsburg Street;
Parcel number 153-50 Pittsburg Street;
Parcel number 153-53 Pittsburg Street;
Parcel number 153-56 Pittsburg Street;
Parcel number 153-57 Pittsburg Street;
Parcel number 154-1 Dalton Street;
Parcel number 154-10-4 Deer Park Street;
Parcel number 154-10-6 Deer Park Street;
Parcel number 154-10-7 Deer Park Street;
Parcel number 154-10-8 Deer Park Street;
Parcel number 154-5 Deer Park Street;
Parcel number 154-8-3 Deer Park Street;
Parcel number 160-116 Wiggins Street;
Parcel number 160-117 Deer Park Street;

Parcel number 160-62 Valley Street;
Parcel number 161-10-3 Jones Avenue;
Parcel number 161-10-4 Jones Avenue;
Parcel number 161-16-4 Washington Avenue;
Parcel number 161-16-7 Topp Avenue;
Parcel number 161-16-9 Topp Avenue;
Parcel number 161-17 Topp Avenue;
Parcel number 161-19-1 Washington Avenue;
Parcel number 161-33-18 Barrett Avenue;
Parcel number 161-36-38 Barrett Avenue;
Parcel number 161-36-42 Barrett Avenue;
Parcel number 161-44 Barrett Avenue;
Parcel number 161-44-1 Barrett Avenue;
Parcel number 161-47-1 Hill Avenue;
Parcel number 161-47-2 Hill Avenue;
Parcel number 161-9 Washington Avenue;
Parcel number 162-14 Shirley Avenue;
Parcel number 162-144 Barrett Avenue;
Parcel number 162-150 1432 Barrett Avenue;
Parcel number 162-152 Barrett Avenue;
Parcel number 162-16 Shirley Avenue;
Parcel number 162-164-1 Barrett Avenue;
Parcel number 162-231 1618 Barrett Avenue;
Parcel number 162-234 Florence Avenue;
Parcel number 162-235 1628 Barrett Avenue;

Parcel number 162-236 Florence Avenue;
Parcel number 162-257 1223 Barrett Avenue;
Parcel number 162-263 1319 Barrett Avenue;
Parcel number 162-274-1 Barrett Avenue;
Parcel number 162-275-1 1429 Barrett Avenue;
Parcel number 162-280 1619 Barrett Avenue;
Parcel number 162-281 1623 Barrett Avenue;
Parcel number 162-285-1 Barrett Avenue;
Parcel number 162-285-2 1703 Barrett Avenue;
Parcel number 162-293 Hill Avenue;
Parcel number 162-295 Hill Avenue;
Parcel number 162-296 1724 Hill Avenue;
Parcel number 162-300 1702 Hill Avenue;
Parcel number 162-303 1634 Hill Avenue;
Parcel number 162-304 1624 Hill Avenue;
Parcel number 162-305 Hill Avenue;
Parcel number 162-305-1 Hill Avenue;
Parcel number 162-319 1328 Hill Avenue;
Parcel number 162-327 1232 Hill Avenue;
Parcel number 162-348 Hill Avenue;
Parcel number 162-363 Hill Avenue;
Parcel number 162-374 Hill Avenue;
Parcel number 162-376 Hill Avenue;
Parcel number 162-43 Shirley Avenue;
Parcel number 162-440 1423 Jones Avenue, Apt. 25;

Parcel number 162-451 1557 Jones Avenue;
Parcel number 162-484 Topp Avenue;
Parcel number 162-493 Topp Avenue;
Parcel number 162-494 1433 Topp Avenue;
Parcel number 162-511 1315 Topp Avenue;
Parcel number 162-514 1325 Topp Avenue, Apt. 29;
Parcel number 162-536 Topp Avenue;
Parcel number 162-54 Dalton Street;
Parcel number 162-79 Barrett Avenue;
Parcel number 162-81-1 Shirley Avenue;
Parcel number 163-10 Booker Street;
Parcel number 163-151 Hair Street;
Parcel number 163-154 Hair Street;
Parcel number 163-157 Hair Street;
Parcel number 163-158 Hair Street;
Parcel number 163-178 Hair Street;
Parcel number 163-191 Hair Street;
Parcel number 163-218 Cox Street;
Parcel number 163-229-1 1602 Cox Street;
Parcel number 163-23 Booker Street;
Parcel number 163-233 Cox Street;
Parcel number 163-241 1815 Cox Street;
Parcel number 163-270 Hair Street;
Parcel number 163-276 Cox Street;
Parcel number 163-332 Danby Street;

Parcel number 163-368 Booker Street;
Parcel number 163-369 Booker Street;
Parcel number 163-408 Booker Street;
Parcel number 163-409 Booker Street;
Parcel number 163-41 Cox Street;
Parcel number 163-414 Booker Street;
Parcel number 163-416 1527 Booker Street;
Parcel number 163-68 1427 Booker Street, Apt. 29;
Parcel number 163-74 Booker Street;
Parcel number 164-41-10 1714 McKinley Avenue, Apt. 16;
Parcel number 164-41-11 1710 McKinley Avenue, Apt. 12;
Parcel number 164-41-12 1706 McKinley Avenue, Apt. 8;
Parcel number 164-50 1860 Dalton Street;
Parcel number 167-61 University Boulevard;
Parcel number 169-1 Willow Street;
Parcel number 215-159 Plaza Drive;
Parcel number 222-14 Aberdeen Street;
Parcel number 222-2-3 Morehouse Avenue; and
Parcel number 222-8 Aberdeen Street.

(2) For purposes of this section, "homeowner" means a residential occupant of a property who also holds an ownership interest in the property. A person who owns an interest in a property but who does not reside on the property shall not be considered a homeowner. The university is authorized to sell, transfer and convey the property described in subsection (1) of

this section to certain homeowners and entities according to the procedures set forth in this section. The property may be sold without appraisal and without consideration.

(3) The university may designate the manner by which the offers to purchase property will be received, including, but not limited to, offers sealed in an envelope, offers made electronically or offers made by any other method that encourages community homeowners to purchase the property.

(4) The right of first refusal for the purchase of the property described in subsection (1) shall be given to persons as follows:

(a) (i) An adjacent homeowner sharing a common boundary with the subject parcel; or

(ii) An adjacent homeowner who agrees to combine the parcel where applicable.

(b) If no adjacent homeowner submits an offer to purchase, or if there is no adjacent homeowner, then any homeowner residing on the same street or block or in the same twenty-five one hundredths (0.25) square mile neighborhood as the subject parcel.

(c) The right of first refusal provided for in subsection (4) shall expire thirty (30) days after the effective date of this act. If none of the persons listed in paragraphs (a) and (b) of this subsection purchases the subject parcel within thirty (30) days, then the university shall transfer the parcel as

provided in subsection (5) of this section. No official or employee of the university shall derive any personal economic benefit from the sale, transfer or conveyance of property under this section.

(5) The properties described in subsection (1) of this section and any improvements thereon that are not purchased under the provisions of subsection (4) of this section shall be transferred and conveyed by the university, with the prior approval of the Board of Trustees of State Institutions of Higher Learning, to a community development corporation (CDC) that is a nonprofit corporation exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code and that serves as an entity for the revitalization of the community surrounding the university. After the university and the board of trustees have reviewed and determined that the CDC meets all requirements of law for organization and operation, the university shall transfer the described properties to the CDC by deed or other instrument of conveyance and the CDC shall take possession of the properties within thirty (30) days after receipt of the deeds or instruments of conveyance. The property may be transferred without appraisal and without consideration.

(6) The CDC to which the described properties have been transferred may sell any portion or all of the properties, and the CDC may designate the manner by which the offers to purchase property will be received, including, but not limited to, offers

sealed in an envelope, offers made electronically or offers made by any other method.

(7) The CDC shall first advertise notice of its intent to sell any portion or all of the properties for three (3) consecutive weeks by:

(a) Posting notices at three (3) or more public places located in the City of Jackson, Mississippi; and

(b) Publishing notices in a newspaper published in the county or some paper having a general circulation in the county.

(8) The CDC shall transfer fifty percent (50%) of the net proceeds received from the sale of the properties to the Department of Finance and Administration for deposit into a special fund that is created in the State Treasury to be known as the "Jackson State University Surplus Properties Fund." Monies in the fund shall be expended only for purposes approved by the Board of Trustees of State Institutions of Higher Learning that are for the benefit of Jackson State University.

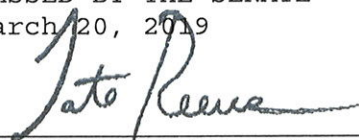
(9) The State of Mississippi shall retain all mineral rights to all the real property sold under this section, together with the right of ingress and egress to remove the same.

(10) Any of the properties described in subsection (1) of this section that are not sold under the provisions of this section by December 31, 2019, shall revert to the possession and control of the university on January 1, 2020.

(11) This section shall stand repealed on July 1, 2029.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2019.

PASSED BY THE SENATE
March 20, 2019



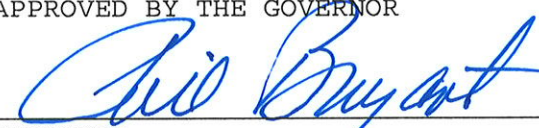
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 6, 2019



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/29/2019 3:05pm